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**From:** McGill, Thomas [Mcgill.Thomas@epa.gov]  
**Sent:** 12/11/2020 9:33:40 PM  
**To:** Laycock, Kelly [Laycock.Kelly@epa.gov]  
**Subject:** FW: draft notes on Dec 3 meeting with the Miccosukee Tribe  
**Attachments:** draft notes from 12-3-20 meeting with the Miccosukee Tribe of Indians of Florida, kkn comments.docx

Do you have time to address Kavita's comments, make a clean copy, convert it to PDF and then send to the Tribe? I suggest using the same language you used when sharing the notes from the Oct 8 meeting. Thanks!

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**From:** Nagrani, Kavita <Nagrani.Kavita@epa.gov>  
**Sent:** Friday, December 11, 2020 4:12 PM  
**To:** McGill, Thomas <Mcgill.Thomas@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>  
**Cc:** Ghosh, Mita <Ghosh.Mita@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Zimmerman, Eve <Zimmerman.Eve@epa.gov>  
**Subject:** RE: draft notes on Dec 3 meeting with the Miccosukee Tribe

Hey Tom,

Sending some edits/comments for your consideration – thanks!

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**From:** McGill, Thomas <Mcgill.Thomas@epa.gov>  
**Sent:** Friday, December 11, 2020 2:42 PM  
**To:** Pugh, Katherine <Pugh.Katherine@epa.gov>  
**Cc:** Ghosh, Mita <Ghosh.Mita@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Zimmerman, Eve <Zimmerman.Eve@epa.gov>  
**Subject:** RE: draft notes on Dec 3 meeting with the Miccosukee Tribe

Thanks Katie, I've revised the draft notes to include a bullet under Miccosukee comments and a bullet under EPA response.

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**From:** Pugh, Katherine <Pugh.Katherine@epa.gov>  
**Sent:** Friday, December 11, 2020 1:18 PM  
**To:** McGill, Thomas <Mcgill.Thomas@epa.gov>  
**Cc:** Ghosh, Mita <Ghosh.Mita@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Zimmerman, Eve <Zimmerman.Eve@epa.gov>  
**Subject:** Re: draft notes on Dec 3 meeting with the Miccosukee Tribe

Looks good. Did you also want to mention the non-waiver discussion? Attached are photos of my notes If you want to add anything. Totally up to

you.

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# 12/15/80 NMFE consultation

## NMFE

Jeanine Bennett, Kevin Davidson,  
Jenniffer (Anast. Council), Craig  
van der Heiden

Mita, Eve Kavite, Jeanneane, Tom,  
Michael Gresswell, Kelly, Becky

## Definition of Indian Country

EPA & Corps

Big Cypress, Everglades NP not

considered Indian Country

these are areas that the tribe

has traditional pumps

Asked Col Kelly if animal into

Do you understand that Everglades

NP & Big Cypress are outside

Indian Country? Answer was

yes

provision in 331.060

will give tribe notice, but should

not do permitting

NDES permits in Everglades, tribe

gets notice of availability to comment

404 program will be similar to

402 program

don't have to send to EPA

non-waiver categories, will have to

send permits to EPA

Kevin D. Indian Country dep. doesn't automatically

trigger 106. Corps has been doing

it a long time. State hasn't.

graves protection cultural resources

Tribe objected to State doing NDES

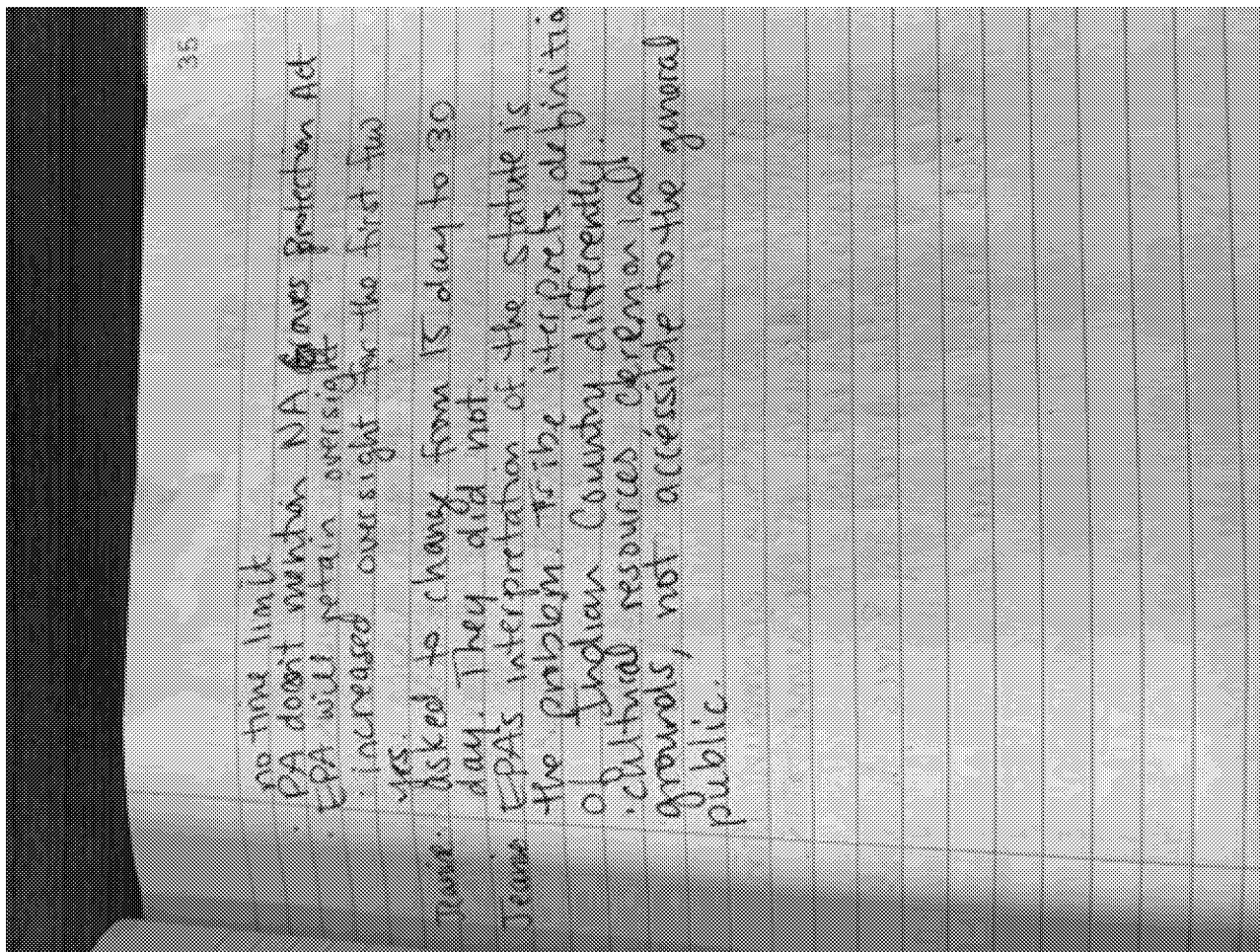
permits in nat'l parks too

Jeanine: only avenue is non-waiver?

will have to look in a case-by-case

basis

Tribe will only have 15 days. Corps has



Sent from my iPhone

On Dec 11, 2020, at 12:58 PM, McGill, Thomas <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)> wrote:

Please let me know if you have any comments on the attachment, particularly the short summary of EPA's response.

<draft notes from 12-3-20 meeting with the Miccosukee Tribe of Indians of Florida.docx>